

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ANDREW HAGBERG,

Plaintiff,

v.

MICHAEL SWEET,

Defendant.

Hon. Janet T. Neff

Case No. 1:09-cv-00334

REPORT AND RECOMMENDATION

This matter is before the Court on Plaintiff's Application for Default Judgment Against Defendant Michael Sweet (Dkt. 35), which was referred to the undersigned by the Honorable Janet T. Neff for report and recommendation under 28 U.S.C. § 636(b)(1)(B). An evidentiary hearing was held on the application on August 17, 2010. Following the hearing, Plaintiff was ordered to submit proposed findings of fact and conclusions of law, which he has done (Dkt. 43). The undersigned recommends that Plaintiff's Application for Default Judgment Against Defendant Michael Sweet (Dkt. 35) be **granted**, that the proposed findings of fact and conclusions of law be adopted by the court, and that judgment enter against Defendant Michael Sweet in the amount of \$272,764.94.

Respectfully submitted,

Date: September 27, 2010

/s/ Ellen S. Carmody
ELLEN S. CARMODY
United States Magistrate Judge

OBJECTIONS to this Report and Recommendation must be filed with the Clerk of Court within 14 days of the date of service of this notice. 28 U.S.C. § 636(b)(1)(C). Failure to file objections within the specified time waives the right to appeal the District Court's order.

Thomas v. Arn, 474 U.S. 140, 155 (1985); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).